

Serial No. 10/058,020  
HP 30011902-03  
LNB 1509-262  
Page 20

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application.

Claims 1-24, 26-28, 30-38, 40-42, 44-50 are pending, of which claims 1, 16, 22, 26, 30, 36, and 40 are independent.

The claims are amended for clarity and to address the issue noted on page 2 of the Office Action, thereby obviating the objection to claims 12-15. In addition, claim 1 is amended to incorporate the subject matter of original claim 5. Claim 5 is amended to depend from claim 2 and to specify that the presentation character is vocabulary. Claim 16 is amended to incorporate the subject matter of original claim 21. Claim 21 is amended to depend from claim 19 and to specify that the presentation character is vocabulary. Claims 22 and 26 are amended to respectively incorporate the subject matter of claims 25 and 29, which are cancelled. Claim 30 is amended to incorporate the subject matter of claim 35. Claim 35 is amended to depend from claim 33 and to specify that the presentation character is vocabulary. Claims 36 and 40 are amended to respectively incorporate the subject matter of claims 39 and 43, which are cancelled.

Claims 44-50 are added to provide Applicant with the protection to which he is deemed entitled. More specifically, claims 44-50 depend on independent claims 1, 16, 22, 26, 30, 36, and 40, respectively, and require that the setting of the presentation character in dependence on

Serial No. 10/058,020  
HP 30011902-03  
LHB 1509-262  
Page 21

range is done in a consistent manner. In other words, a user can rely on the association between range and presentation character being fixed.

The amended claims distinguish over Suzuki et al. (U.S. 5,736,982) and Moore (U.S. 5,561,736), thereby obviating the rejection of claims 1, 6, 8, 16, and 30 under 35 U.S.C. §102(b) as being anticipated by Suzuki, as well as the rejection of claims 2-5, 19-21, and 33-35 under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Moore.

Amended independent claim 1 is directed to a method of announcing to a user the presence of a real or virtual entity or a representation thereof in a current environment of the user having a combination of steps, including announcing to the user the entity or representation thereof using an audio announcement that has a presentation character at least one aspect of which, other than or in addition to loudness, is set in dependence on the range distance between the user and the entity or representation thereof, in the current environment, the at least one aspect being one of speaking style, vocabulary, and speaker voice.

Amended independent claim 16 is directed to apparatus for providing an audio user interface in which items are represented in an audio field by corresponding synthesized sound sources from where sounds related to the items appear to emanate having a combination of elements, including announcement-control means for causing at least one the item to be announced to the user, via the corresponding sound

Serial No. 10/058,020  
HP 30011902-03  
LHB 1509-262  
Page 22

source, using an audio announcement that has a presentation character at least one aspect of which, other than or in addition to loudness, is set in dependence on a range distance between the user and the location of the sound source in the audio field, the at least one aspect being one of speaking style, vocabulary, and speaker voice.

Amended independent claim 30 is directed to an apparatus for providing an audio user interface in which items are represented in an audio field by corresponding synthesized sound sources from where sounds related to the items appear to emanate having a combination of elements, including an announcement-control arrangement operative to cause at least one the item to be announced to the user, via the corresponding sound source, using an audio announcement that has a presentation character, at least one aspect of which, other than or in addition to loudness, is set in dependence on a range distance between the user and the location of the sound source in the audio field, the at least one aspect being one of speaking style, vocabulary, and speaker voice.

As acknowledged in the Office Action, Suzuki does not disclose a range-dependent presentation character that is one of speaking style, vocabulary, and speaker voice.

Moore discloses a system which enables a synthesized voice to appear at a particular spatial position. The system synthesizes audio output corresponding to a set of messages 100-138 (see FIG. 4) with each message being synthesized as coming from a particular character

Serial No. 10/058,020  
HP 30011902-03  
LHB 1509-262  
Page 23

(voices 1-4) at a specified position (positions 0-5) and with a particular dialect (Japanese, MidWest) as specified by parameters associated with each message. In the specific example given (a language lesson; see column 5, line 38 et seq.), four characters have dialects and speaking positions as follows:

VOICE	CHARACTER	DIALECT	POSITION
1	Mr. Tanaka	Japanese	1
2	Interpreter	Midwest	3
3	Mrs. Tanaka	Japanese	5
4	Waiter	Japanese	4 -> 2

Each character has a fixed dialect and either stays in a fixed position (as for Mr. Tanaka, Mrs. Tanaka, and the Interpreter) or changes positions (the Waiter).

Clearly, for a particular character, dialect does not vary with position (see Waiter), nor does dialect indicate position (Japanese used in positions 1, 2, 4, and 5). The position information associated with each message 100-138 is only used to determine the rendering position of the corresponding text, and the vocabulary used in each message is solely dependent on the flow of the conversation and is not dependent on the character's position.

Serial No. 10/058,020  
HP 30011902-03  
LHB 1509-262  
Page 24

As a result of the foregoing amendments, (a) all independent claims require the range-dependent presentation character to be one of speaking style, vocabulary, and speaker voice; (b) claims 2, 19, 22, 33, and 36 require that range determines which of multiple available announcement is used; and (c) claims 5, 21, and 35 require that the range-dependent presentation character be vocabulary.

In the Office Action, the claims including features (a)-(c) are rejected as being obvious over Suzuki and Moore. However, this combination is not obvious to one of ordinary skill in the art to meet the requirements of the amended independent claims or claims 2, 5, 19, 21, 22, 33, 35, and 36.

The Office Action asserts that one of ordinary skill in the art would be motivated to combine Suzuki and Moore to make dialect/vocabulary position dependent because it would be more "interesting and exciting" to do so which, interestingly, is the reason given in Moore at column 5, line 45, for having different speaker positions. Unfortunately, it is utter nonsense. It would be totally confusing if a character in Moore changed dialect with position. Thus, if the Waiter had a different dialect in positions 4 and 2, the listener would be completely confused and would probably think there were two different characters.

Nothing in Moore discloses or suggests that speaker style, vocabulary, or speaker voice should be made range dependent, and it would make no sense to incorporate such a dependency.

Serial No. 10/058,020  
HP 30011902-03  
LHB 1509-262  
Page 25

Accordingly, amended independent claims 1, 16, 22, 26, 30, 36, and 40 and dependent claims 2-5, 19-21, and 33-35 are not rendered obvious by Suzuki and Moore.

Claim 7 is allowable for the same reasons advanced for claim 1, upon which it depends.

The rejection of dependent claims 9-12, 17, 18, 31, and 32 under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Richards (U.S. 2001/0056574) is overcome by the changes to the independent claims upon which claims 9-12, 17, 18, 31, and 32 depend. Richards does not cure the deficiencies noted in the rejection of the independent claims.

The rejection of dependent claims 13-15, 22-29, and 36-43 under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Moore and Richards is also overcome by the changes to the independent claims upon which claims 13-15, 22-29, and 36-43 depend. Again, Richards does not cure the deficiencies noted in the rejection of the independent claims.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are in order, and such action is respectfully requested.

To the extent necessary during prosecution, Applicant hereby requests any required extension of time not otherwise requested and hereby authorizes the Commissioner to charge any required fees not

Serial No. 10/058,020  
HP 30011902-03  
LHB 1509-262  
Page 26

otherwise provided for, including application processing, extension,  
and extra claims fees, to Deposit Account No. 08-2025.

Respectfully submitted,

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